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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 TRAVIS L. HAMMONS,

9 Plaintiff,

10 v.

11 CHARLES MITCHELL, *et al.*,

12 Defendants.

Case No. C18-0740-MJP-MAT

ORDER GRANTING DEFENDANTS'
MOTION TO STRIKE

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14 This is a civil rights action proceeding under 42 U.S.C. § 1983. This matter comes before
15 the Court at the present time on defendants' motion to strike plaintiff's declaration for entry of
16 default. This Court, having considered defendants' motion, and the balance of the record, hereby
17 finds and ORDERS as follows:

18 (1) Defendants' motion to strike plaintiff's declaration for entry of default (Dkt. 19) is
19 GRANTED. Defendants seek to strike the declaration for entry of default submitted by plaintiff
20 on October 1, 2018, arguing that plaintiff's submission is procedurally deficient and, in any event,
21 that they are not in default because they timely filed their answer to plaintiff's amended complaint
22 on September 19, 2018. The Court need not address defendants' argument regarding the
23 procedural deficiencies in plaintiff's submission as the Court record confirms that defendants did,

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MOTION TO STRIKE - 1

1 in fact, timely file their answer to plaintiff's amended complaint within 60 days after the date
2 designated on the notice of lawsuit and request for waiver of service of summons. Plaintiff's
3 declaration for entry of default (Dkt. 18) is therefore moot and is STRICKEN from the record.

4 (2) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
5 defendants, and to the Honorable Marsha J. Pechman.

6 Dated this 17th day of October, 2018.

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9 Mary Alice Theiler
United States Magistrate Judge